

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

TYCO HEALTHCARE GROUP LP

Plaintiff,

v.

MEDICAL PRODUCTS, INC.

Defendant.

Civil Action No. 1:04-CV-11524-DPW

JOINT STATEMENT

Pursuant to the Court's notice of Scheduling Conference in the above-captioned action, August 16, 2004, the parties submit this Joint Statement.

I. Discovery and Motion Schedule

The parties propose the following dates for discovery and dispositive motions:

- January 30, 2005 – Responses to document requests and interrogatories completed, except requests or interrogatories made in response to subsequently received discovery;
- February 28, 2005 - Fact depositions and any additional fact discovery concluded;
- March 15, 2005 – Designation of expert witnesses and disclosures pursuant to Fed. R. Civ. P. 26(a)(2);
- March 30, 2005 – Counter-designation of expert witnesses and disclosures pursuant to Fed. R. Civ. P. 26(a)(2);
- April 30, 2005 - Depositions of experts concluded;
- May 30, 2005 - Summary Judgment motions filed.

II. Certifications

Certifications of each counsel and party that each party and counsel have conferred concerning matters of budget, cost, and alternative dispute resolution programs in accordance with Rule 16.4 are being filed by each party separately.

Respectfully submitted,

MEDICAL PRODUCTS, INC.

By its attorneys:

/s/ Michael B. Galvin

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Dated: September 16, 2004

Respectfully submitted,

TYCO HEALTHCARE GROUP

By its attorneys:

/s/ Jeffrey D. Clements

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Dated: September 16, 2004